

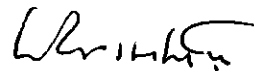
**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

CHARLES WILEY,	:	
	:	
Plaintiff,	:	Case No. 3:04cv447
	:	
vs.	:	District Judge Walter Herbert Rice
	:	Magistrate Judge Sharon L. Ovington
WRIGHT STATE UNIVERSITY, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	

**DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS FILED ON
APRIL 6, 2006 (Doc. #36), AND DENYING DEFENDANTS' MOTION TO DISMISS
COMPLAINT PURSUANT TO FED. R. CIV. P. 37 AND 41 (Doc. #28)**

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #36), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on April 6, 2006 (Doc. #36) is ADOPTED in full; and
2. Defendants' Motion To Dismiss Complaint Pursuant to Fed. R. Civ. P. 37 and 41 (Doc. #28) is DENIED.



Walter Herbert Rice
United States District Judge